IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 9132 of 2007(K)

PETITIONER:

M.SARADA, PART TIME SWEEPER,
VORKADY GRAMA PANCHAYAT,
VORKADY P.O., MANJESHWAR.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT (RURAL), GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF PANCHAYATH, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF PANCHAYATH, KASARAGOD.

4. VORKADY GRAMA PANCHAYAT REPRESENTED BY ITS SECRETARY, VORKADY P.O., MANJESHWAR.

BY ADV. SHRI.BENJAMIN PAUL, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 9132/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE RESOLUTION NO.113/03 DATED 30/09/2003.

P2 : COPY OF THE G.O.(P) NO. 501/2005/FIN. DATED 25/11/2005.

P3 : COPY OF THE RESOLUTION P.R.NO.16/06 DATED 30/01/06.

P3(a) : COPY OF THE RESOLUTION P.R.NO. 16/06 DATED 20/03/06.

P3(b) : COPY OF THE APPLICATION FOR CREATION OF POST OF PART TIME CONTINGENT SWEEPER DATED 20/03/06.

P3(c) : COPY OF THE LETTER DATED 09/01/06.

P4 : COPY OF THE G.O.NO. 638/H2/06/LSD DATED 06/05/2006.

P5 : COPY of the ORDER NO.H5.2440/06 DATED 05/07/06.

P6 : COPY OF THE LETTER NO.A2/541/04 DATED 11/09/2006.

P7 : COPY OF THE RESOLUTION NO.177/06 DATED 26/12/2006 BY THE 4TH RESPONDENT.

P8 : COPY OF the LETTER NO.A5.2440/06 DATED 24/01/2007 ISSUED BY THE 3RD RESPONDENT TO THE 4TH RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO. 9132 OF 2007

DATED THIS THE 9th DAY OF JULY, 2007

JUDGMENT

The petitioner is a Sweeper on daily wages under the 4th respondent. Pursuant to judgment in W.P.(c)No.31012/03 Government have framed rules relating to employment of Part Time Sweepers. Thereafter by Ext.P8 order, the Deputy Director of Panchayats informed the 4th respondent that the petitioner may be appointed as part time sweeper in the existing vacancy in the Panchayat subject to the directions in the orders referred to therein. The petitioner complains that Ext.P8 is not being implemented. Although notice has been served on the 4th respondent, nobody appears on their behalf. The learned Government pleader submits that in view of Ext.P8, nothing further needs to be done by respondents 1 to 3 and it is for the 4th respondent to take further proceedings pursuant to Ext.P8.

2. In the above circumstances, the 4th respondent is directed to take further steps in accordance with Ext.P8 and complete the

proceedings expeditiously, at any rate, within two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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